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11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 BANK OF AMERICA, N.A.,

15 Plaintiff,

16 vs.

17 COTTONWOOD AT SUNRISE MOUNTAIN
HOMEOWNERS ASSOCIATION; EDWARD
18 KIELTY TRUST; AND NEVADA
ASSOCIATION SERVICES, INC.,

19 Defendants.

Case No.: 2:16-cv-00310-RFB-CWH

**STIPULATION TO TAKE
DEPOSITION OF BO JONES
OUTSIDE OF THE DISCOVERY
DEADLINES**

(First Request)

21 EDWARD KIELTY TRUST, a Nevada Trust

22 Counterclaimant,

23 vs.

24 BANK OF AMERICA, N.A., a national bank;
25 DOE INDIVIDUALS I-X; and ROE
CORPORATIONS I-X, inclusive

26 Counterdefendants,

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2 Bank of America, N.A., Cottonwood at Sunrise Mountain Homeowners Association, Edward
3 Kielty Trust, and Nevada Association Services, Inc. respectfully submit the following stipulation
4 requesting to take Bo Jones' deposition outside of the discovery deadline. This is the parties' first
5 request to take a deposition outside of the discovery deadline.

6 Discovery in this case closes on September 6, 2016. ECF No. 21, ¶ 1. The parties have
7 participated in discovery in good faith. After BANA timely took each of defendants' depositions,
8 BANA learned Bo Jones purchased the property on Kielty Trust's behalf. On August 15, 2016,
9 BANA served a subpoena to Bo Jones, c/o Luis A. Ayon, noticing Bo Jones' deposition for
10 September 1, 2016 at 1:00 p.m. On the day of the noticed deposition, BANA learned Bo Jones was
11 on vacation and would not be appearing for her September 1 deposition. The parties have agreed to
12 take Bo Jones' deposition outside the discovery period. BANA intends to re-notice Bo Jones'
13 deposition for September 9, 2016 at 1:00 p.m. The parties' agreement to reschedule Bo Jones'
14 deposition will not affect any other deadlines in this case.

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The parties request the court allow BANA to take Bo Jones' deposition on September 9, 2016. In the event a subsequent conflict arises with the September 9, 2016 deposition, the parties request the court allow BANA to take Bo Jones' deposition up to and including September 15, 2016.

Dated this 1st day of September, 2016.

Dated this 1st day of September, 2016.

AKERMAN LLP

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/s/ William S. Habdas

/s/ Thomas E. McGrath

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Dated this 1st day of September, 2016.

Dated this 1st day of September, 2016. **LAW**

MAIER GUTIERREZ AYON

OFFICES OF RICHARD VILKIN, P.C.

/s/ Margaret E. Schmidt

/s/ Richard E. Vilkin

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IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: September 6, 2016

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